IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3542 OF 2004

Abhishek Yudhaveer Agarwal & Anr .. Applicants.
Vs.
State of Maharashtra .. Respondent.

Mr.Rajiv Patil with Mr.V.V.Purwant for the applicants.
Mr.S.R.Shinde APP for the respondent.

CORAM : D.B.BHOSALE, J.

DATED : 30TH AUGUST, 2004

P.C.:

. Heard Mr.Patil, learned counsel for the applicants and Mr.Shinde, learned A.P.P. for the respondent.

2. The applicants are involved in C.R.No.74/2004 registered at Wai police station under sections 489-B read with 34 of Indian Penal Code. The applicants and one another are alleged to have used counterfeit currency notes of Rs.15,000/- as genuine. Mr.Patil, learned counsel for the applicants submits that in so far as the applicants are concerned there is absolutely nothing on record to show that the applicants used the questioned currency as genuine knowing or

having reason to believe the same to be counterfeit. To my specific query made to the learned A.P.P. as to whether there is any material on record to show that the applicants had knowledge that they were using the said currency notes as counterfeit. The reply was in the negative. Mr.Patil, learned counsel for the applicants, therefore, submits that except the statement of the co-accused there is no material on record to connect the applicants with the alleged crime. In fact the applicants have fairly disclosed source of the said notes, which they, according to Mr.Patil, could have suppressed, had they used it as genuine. The investigation is complete and the charge-sheet has also been filed. Considering the overall facts and circumstances of the case and keeping in view the nature of allegations against the applicants, as reflected in the charge-sheet, I am inclined to enlarge them on bail.

. The applicants are directed to be enlarged on bail on their furnishing a personal bond of Rs.15,000/- each with one or two sureties of the like amount to the satisfaction of the trial court, subject to condition that they shall report the concerned police station on the first Saturday of

every month between 10 am and 11 am until the conclusion of their trial.

. While passing this order, I shall not be understood to have expressed any opinion on merits of the case. The trial court will deal with the case uninfluenced by the observations made in this order.

. The application is disposed of.

(D.B.Bhosale, J.)